

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Danny Bruce Garrett

Docket No. 2:93-CR-17-10H

Petition for Action on Supervised Release

COMES NOW Tuell Waters, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Danny Bruce Garrett, who, upon a finding of guilt by jury to Conspiracy to Possess With Intent to Distribute Cocaine Base in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 16, 1994, to the custody of the Bureau of Prisons for a term of 240 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 10 years. On November 21, 2008, the defendant's motion for sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) was denied.

Danny Bruce Garrett was released from custody on September 13, 2011, at which time the term of supervised release commenced. On October 20, 2015, a Petition for Action on Supervised Release was filed modifying the conditions of supervision to include a 2-day jail sanction in response to illicit drug use.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 7, 2020, at approximately 9:45p.m., the defendant committed the offenses of Driving While Impaired, Open Container After Consuming Alcohol, and Unsealed Wine/Liquor in Passenger Area, and was charged by the North Carolina State Highway Patrol. These charges remain pending in Washington County District Court under File Numbers 20CR50042 and 20CR700259, respectively. According to Trooper Christopher Moore, Garrett was stopped for an unsafe movement. The trooper observed an odor of alcohol and the defendant performed unsatisfactorily on a field sobriety test. Subsequently, Garrett registered a blood alcohol content of 0.13. Trooper Moore informed the undersigned probation officer that the defendant was very respectful and cooperative. Garrett reported the incident to the probation officer and accepted responsibility for his actions. The undersigned probation officer addressed the matter with a verbal reprimand and Cognitive Behavioral Intervention. It is further recommended the conditions of supervision be modified to include a curfew not to exceed 60-days with location monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith

Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Tuell Waters

Tuell Waters
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2344
Executed On: March 17, 2020

ORDER OF THE COURT

Considered and ordered this 17th day of March, 2020, and ordered filed and
made a part of the records in the above case.

Malcolm J. Howard

Malcolm J. Howard
Senior U.S. District Judge